

Report Date: June 19, 2014

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 19 2014

SEAN F. McAVOY, CLERK  
YAKIMA, WASHINGTON DEPUTY**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Richard Allen Counts, III

Case Number: 0980 2:07CR02066-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 17, 2008

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison 100 months  
TSR - 48 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: September 13, 2013

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: September 12, 2017

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**PETITIONING THE COURT****To issue a warrant**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

- 5      **Special Condition #16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances

**Supporting Evidence:** On June 19, 2014, Richard Allen Counts, III, attempted to utilize a device to alter or adulterate his urine sample. The device was discovered, and the defendant voluntarily removed the device and provided it to this officer.

- 6      **Special Condition #16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On June 19, 2014, Richard Allen Counts, III, admitted to using an illegal substance, methamphetamine, on June 14, 17, and 18, 2014.

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**Re: Counts, III, Richard Allen**

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**Special Condition #15:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** On June 16, 2014, Richard Allen Counts, III, failed to attend his treatment group session at Merit Resource Services.

On June 17, 2014, the defendant failed to provide a random urine sample at Merit Resource Services.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/19/2014


s/Stephen Krous

Stephen Krous  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

6/19/14  
\_\_\_\_\_  
Date